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SENATE BILL 476

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Gay G. Kernan

AN ACT

RELATING TO PER DIEM AND MILEAGE; ALLOWING SPECIAL HOSPITAL DISTRICTS TO ESTABLISH MILEAGE REIMBURSEMENT RATES; AMENDING SECTIONS OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 4-48A-9 NMSA 1978 (being Laws 1978, Chapter 29, Section 9, as amended) is amended to read:

"4-48A-9. BOARD OF TRUSTEES--POWERS. --The board of trustees may:

A. acquire, construct, operate or maintain one or more hospital facilities in the special hospital district for the purposes for which the special hospital district was created;

B. receive and expend all funds accruing to the special hospital district pursuant to any provision of the

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1 Special Hospital District Act through the sale of bonds or the
2 levy of taxes, paid from any source on account of patients
3 accommodated at the hospital, from any gift or bequest or from
4 any federal, state or private grant;

5 C. enter into contracts, including contracts with
6 the federal government and the departments and agencies thereof
7 or the state government and the departments, institutions and
8 agencies thereof, for the treatment of or the hospitalization
9 of patients under the jurisdiction of such entities;

10 D. adopt and use a seal to authenticate its
11 official transactions;

12 E. sue and be sued;

13 F. adopt rules and regulations for the governing of
14 the special hospital district;

15 G. employ and fix the compensation of an executive
16 director of the special hospital district and such other staff
17 and clerical personnel it deems necessary;

18 H. employ a hospital administrator for hospital
19 facilities under its control and approve or disapprove the
20 recommendations of such administrator pertaining to
21 compensation and employment benefits for hospital employees;

22 I. fix the mileage reimbursement rate for travel on
23 official business in a privately owned vehicle by employees of
24 hospital facilities under its control, provided that the rate
25 shall not exceed the internal revenue service standard mileage

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1 rate for use of a vehicle for business;

2 [~~I.~~] J. exercise all powers necessary and requisite
3 for the accomplishment of the purposes for which the special
4 hospital district is created;

5 [~~J.~~] K. issue bonds in the manner provided by law
6 for the issuance of special hospital district revenue bonds for
7 the construction, purchase, renovation, remodeling, equipping
8 or re-equipping of hospital facilities under its control and
9 purchasing the necessary land therefor;

10 [~~K.~~] L. charge for hospital services rendered;

11 [~~L.~~] M. lease a hospital to any person, corporation
12 or association for the operation and maintenance of the
13 hospital upon such terms and conditions as the board of
14 trustees may determine, provided that the lease may be
15 terminated by the board of trustees without cause upon one
16 hundred eighty days' notice after the first three years of the
17 lease;

18 [~~M.~~] N. enter into an agreement with another county
19 or counties, another county or counties and another political
20 subdivision or any other person, corporation or association
21 that provides that the parties to the agreement shall join
22 together for the purpose of making some or all purchases
23 necessary for the operation of hospitals owned or operated by
24 the parties; and to designate one of the parties as the central
25 purchasing office, as defined in the Procurement Code, for the

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1 others, to make purchases for the parties to the agreement as
2 they shall deem necessary and to comply with the provisions of
3 the Procurement Code; and

4 [N-] 0. expend public money to recruit health care
5 personnel to serve the sick of the special hospital district. "

6 Section 2. Section 10-8-6 NMSA 1978 (being Laws
7 1971, Chapter 116, Section 5) is amended to read:

8 "10-8-6. APPLICATION OF ACT. --

9 A. The Per Diem and Mileage Act shall not apply to
10 the members of the legislature unless the legislature by
11 specific reference to the act makes it applicable to the
12 members and such application does not thereby exceed the per
13 diem and mileage rates fixed in the constitution of New Mexico.

14 B. The provisions of Subsection D of Section 10-8-4
15 NMSA 1978 pertaining to the mileage reimbursement rate for
16 travel in a privately owned vehicle shall not apply to
17 employees of a hospital facility under the control of the board
18 of trustees of a special hospital district created pursuant to
19 the provisions of the Special Hospital District Act, if the
20 board of trustees has fixed a mileage reimbursement rate for
21 those employees."

22 Section 3. EFFECTIVE DATE. --The effective date of the
23 provisions of this act is July 1, 2003.